

REMARKS/ARGUMENTS

Reconsideration of the application is respectfully requested. Currently claims 1-12 are pending in the application.

Claims 1-7 and 12 have been rejected as allegedly obvious over Weder et al. in view of Schur in further view of Caldwell et al. It is respectfully submitted that the claims are not obvious in view of the cited combination.

With respect to claim 1, claim 1 recites a plant-cultivating container having a selective moisture vapor-permeable portion comprising a non-porous hydrophilic film comprising a material selected from the group consisting of polyvinyl alcohol and copolymers thereof, to which substantially no hydrophobic porous film is superimposed. Claim 1 further recites that the selective moisture vapor-permeable portion has the essential function of preventing the direct contact between the receiving portion (of the container) and external water (i.e., water which is disposed outside of selective moisture vapor-permeable portion). None of the cited references teach or suggest a plant-cultivating container having a selective moisture vapor-permeable portion having an essential function of preventing the direct contact between the receiving portion for receiving a plant body and external water.

In Weder et al, the presence of external water is not described nor suggested. Accordingly, the limitation of "contact between selective moisture vapor-permeable portion and external water" as claimed is not described nor suggested by Weder et al. On the contrary, in Weder et al. the liner 28 and the container 10 must be adjacent to each other so that no space is present between the liner 28 and the container 10 (see column 3 lines 14-16). More specifically, the liner 28 as shown in Fig. 1 is clearly a thin film having no shape-retaining property. The liner 28 must be supported by the container 10 (or decorative covering) so that the superposition of the liner 28 and the container 10 may have a shape-retaining property. Accordingly, in Weder et al. no space must be present between liner 28 and the container 10, and the possibility of the presence of such a space (i.e., the possibility of the presence of external water) is directly contrary to the spirit of the invention disclosed.

An important feature of the invention of Weder et al. is the reusability of container 10 and therefore the container 10 must not be stained or soiled. If a space (such as external water) is present between the liner 28 and the container 10, the liner 28 may have a bottom hole 26 as shown in Fig. 1, and therefore the container 10 will be stained or soiled by the contents (i.e., soil, plant and water) in the middle of the liner. Accordingly, the assumption of such a space (i.e., external water) to be present between the liner 28 and the container 10, is directly contrary to the purpose of having a reusable container.

In addition, if external water is present between the liner and the container 10, an incurable disorder will be produced. More specifically, if a plant and soil is covered with a cellophane film (as is the liner 28) and the cellophane film is floated on water, the cellophane film will seriously decomposed due to cellulase which is present in the soil after about 10 days, or so. Please see the previously submitted declaration of Mr. Okamoto, already of record. The decomposition of the liner 28 is not taught by Weder et al. because of the presence of hole 26 in liner 28 which necessarily requires that the liner does not decompose. As stated in Weder et al. (column 4, lines 9-13), the container 10 must function regardless of the use of polypropylene, which is water impermeable, and cellophane, which is water permeable, as the polymer film. Accordingly, water permeability of the polymer film is not necessary in Weder et al. This is in stark contrast to the claimed invention wherein the water permeability of the film is essential.

Neither of the remaining two cited references, Schur and Caldwell, teach or suggest a plant-cultivating container having a selective moisture vapor-permeable portion having an essential function of preventing the direct contact between the receiving portion for receiving a plant body and external water as claimed. Consequently, it is respectfully submitted that claim 1 is not obvious in view of the cited combination.

Claim 12 recites a plant-cultivating container comprising a plant-receiving portion wherein a least a portion of at least one of the bottom wall and one or more side walls comprises a selective moisture vapor-permeable portion comprising a non-porous hydrophilic film comprising a material selected from the group consisting of polyvinyl alcohol and copolymers thereof to which substantially no hydrophobic is superimposed, wherein the selective moisture

vapor-permeable portion prevents direct contact between the plant body and the external water. As recited above, none of the cited references teach or suggest a plant-cultivating container having a selective moisture vapor-permeable portion having an essential function of preventing the direct contact between the receiving portion for a plant body and external water. In addition, none of the cited references have the claimed plant cultivating container comprising a non-porous hydrophilic film comprising a material selected from the group consisting of polyvinyl alcohol and copolymers thereof, to which substantially no hydrophobic porous film is superimposed.

Claims 8-12 have been rejected as allegedly obvious over Zakai in view of Weder et al. and Schur in further view of Caldwell et al. This rejection is respectfully traversed.

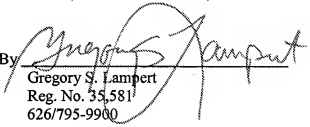
Claim 8 recites a plant-cultivating method comprising providing a plant-cultivating container having a receiving portion for receiving a plant body, the container having as at least a portion thereof a selective moisture vapor-permeable portion comprising a non-porous hydrophilic film comprising a material selected from the group consisting of polyvinyl alcohol and copolymers thereof, and cultivating the plant body while causing at least the selective moisture vapor-permeable portion to contact water and to prevent direct contact between the plant body and external water. Zakai, as with the other cited references, does not teach or suggest a method including a plant-cultivating container having a non-porous hydrophilic film comprising a material selected from the group consisting of polyvinyl alcohol and copolymers thereof as claimed. In addition, Zakai does not teach the method step of cultivating the plant body while causing at least the selective moisture vapor-permeable portion to contact water and to prevent direct contact between the plant body and the external water as claimed. Consequently, the claimed invention is not obvious.

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In view of the foregoing remarks, it is respectfully submitted that the application is now in condition for allowance and, accordingly, early indication thereof is respectfully requested.

Respectfully submitted,
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